

**SUPREME COURT MINUTES
THURSDAY, JUNE 24, 2004
SAN FRANCISCO, CALIFORNIA**

S020670

PEOPLE v. LEWIS (ROBERT)
Opinion filed: Judgment affirmed in full

Opinion by Brown, J.
--- joined by George, C.J., Kennard, Baxter,
Werdegar, Chin, Moreno, JJ.

S103689

C029333 Third Appellate District

PEOPLE v. JONES (SCOTT ALLEN)
Opinion filed: Judgment affirmed in full

Majority Opinion by Kennard, J.
--- joined by George, C.J., Baxter, Chin,
Brown, JJ.
Concurring Opinion by Werdegar, J.
--- joined by Moreno, J.

S124507G031367 Fourth Appellate District,
Division Three

WHALEN-CAMACHO v. GMRI INC.
Time extended to grant or deny review
to July 30, 2004.

S124550A098526 First Appellate District,
Division Two

SAN DIEGO COUNTY WATER v. METROPOLITAN
WATER DISTRICT OF SO. CALIF.
Time extended to grant or deny review
to August 2, 2004

S124565D042141 Fourth Appellate District,
Division One

WARBURTON/BUTTNER v. FIRST NATION
GAMING LLC
Time extended to grant or deny review
to July 30, 2004.

S124597A103731 First Appellate District,
Division Five

REVERSE MORTGAGE CASES, IN RE
Time extended to grant or deny review
to August 3, 2004.

S124602

C043934 Third Appellate District

COUNTY OF EL DORADO v. FIRST FEDERAL
PROPERTIES (WINSTEAD)

Time extended to grant or deny review

to August 2, 2004.

S124682

G032412 Fourth Appellate District,
Division Three

COUNTY OF ORANGE v. BEZAIRE

Time extended to grant or deny review

to August 4, 2004.

S124725

E033862 Fourth Appellate District,
Division Two

MT. SAN JACINTO COMMUNITY COLLEGE v. S.C.
(AZUSA PACIFIC UNIVERSITY)

Time extended to grant or deny review

to August 9, 2004.

S124750

G032020 Fourth Appellate District,
Division Three

EHRENCLOU v. MACDONALD (ANIMAL LEGAL
DEFENSE FUND)

Time extended to grant or deny review

to August 6, 2004

S124771

B166080 Second Appellate District,
Division Six

BLACKBURN v. CHARNLEY

Time extended to grant or deny review

to August 6, 2004

S124772

B166704 Second Appellate District,
Division Eight

WILSHIRE STATE BANK v. ST. PAUL MERCURY
INSURANCE CO.

Time extended to grant or deny review

to August 6, 2004

S124777

B158824 Second Appellate District,
Division Five

SUPERIOR GUNITE v. MITZEL

Time extended to grant or deny review

to August 9, 2004.

S110301

A092876 First Appellate District,
A093705 Division One

DONALDSON v. NATIONAL MARINE, INC.
Extension of time granted

to August 2, 2004.

S121676

B162961 Second Appellate District,
Division Five

STERLING v. TAYLOR
Extension of time granted

to July 23, 2004 to file appellant's answer brief
on the merits.

S123910

C042763 Third Appellate District

PEOPLE v. WILLIAMS
Counsel appointment order filed

Upon request of appellant for appointment of
counsel, George Schraer is hereby appointed to
represent appellant on his appeal now pending in
this court.

S123938

B149425 Second Appellate District,
Division Seven

PEOPLE v. ROBINSON
Counsel appointment order filed

Mark Greenberg to represent appellant.
Appellant's brief on the merits is due within
30 days of the filing of respondent's opening
brief on the merits.

S124851

TURNER (RICHARD DEAN) ON H.C.
Order filed

The order filed on June 14, 2004, is amended to
read as follows:
Good cause appearing, and based upon Deputy
Attorney General Douglas Lee's representation
that he anticipates filing the informal response to
the petition for writ of habeas corpus by 5-18-
2005, counsel's request for an extension of time
in which to file that document is granted to
July 19, 2004. After that date, only ten further
extensions totaling about 300 additional days
will be granted.

S110747**LAWTON ON DISCIPLINE**

Probation revoked

Good cause having been shown, it is hereby ordered that probation is revoked, the previously ordered stay of execution of suspension in the above entitled matter is lifted, and **STEPHEN E. LAWTON, State Bar No. 25705**, must be actually suspended from the practice of law for 90 days. **Stephen E. Lawton** is further ordered to comply with rule 955 of the California Rules of Court, and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of this order.* Costs are awarded to the State Bar and one-fifth of said costs must be added to and become part of the membership fees for the years 2005, 2006, 2007, 2008 and 2009. (Bus. & Prof. Code section 6086.10.)
*(See Bus. & Prof. Code, § 6126, subd. (c).)

S114603**SMITH ON DISCIPLINE**

Probation revoked

Good cause having been shown, it is hereby ordered that probation is revoked, the previously ordered stay of execution of suspension in the above entitled matter is lifted, and **TODD CHRISTIAN SMITH, State Bar No. 167013**, must be actually suspended from the practice of law for one year. **Todd Christian Smith** is also ordered to comply with rule 955 of the California Rules of Court, and to perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 days, respectively, after the date this order is effective.* Credit toward the period of actual suspension shall be given for the period of involuntary inactive enrollment which commenced on April 11, 2004 (Business & Professions Code section 6007(d)(3)). Costs are awarded to the State Bar in accordance with Business & Professions Code section 6086.10 and payable in accordance with Business & Professions Code section 6140.7.
*(See Bus. & Prof. Code, § 6126, subd. (c).)

S125737**SCHMITT ON RESIGNATION**

Resignation accepted with disc. proceeding pending

The voluntary resignation of **FREDERIC P. SCHMITT, State Bar No. 183563**, as a member of the State Bar of California is accepted without prejudice to further proceedings in any disciplinary proceeding pending against respondent should he hereafter seek reinstatement. It is ordered that he comply with rule 955 of the California Rules of Court and that he perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 days, respectively, after the date this order is filed.* Costs are awarded to the State Bar.

*(See Bus. & Prof. Code, § 6126, subd. (c).)

S125740**SMITH ON RESIGNATION**

Resignation accepted with disc. proceeding pending

The voluntary resignation of **LAWRENCE HELM SMITH, State Bar No. 175615**, as a member of the State Bar of California is accepted without prejudice to further proceedings in any disciplinary proceeding pending against respondent should he hereafter seek reinstatement. It is ordered that he comply with rule 955 of the California Rules of Court and that he perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 days, respectively, after the date this order is filed.* Costs are awarded to the State Bar.

*(See Bus. & Prof. Code, § 6126, subd. (c).)

S125741**WITMEYER ON RESIGNATION**

Resignation accepted with disc. proceeding pending

The voluntary resignation of **ERIC JOHN WITMEYER, State Bar No. 135762**, as a member of the State Bar of California is accepted without prejudice to further proceedings in any disciplinary proceeding pending against respondent should he hereafter

seek reinstatement. It is ordered that he comply with rule 955 of the California Rules of Court and that he perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 days, respectively, after the date this order is filed.* Costs are awarded to the State Bar.

*(See Bus. & Prof. Code, § 6126, subd. (c).)

S125744

KOLTER ON RESIGNATION

Resignation accepted with disc. proceeding pending

The voluntary resignation of **Raymond Kirk Kolter, State Bar No. 152579**, as a member of the State Bar of California is accepted without prejudice to further proceedings in any disciplinary proceeding pending against respondent should he hereafter seek reinstatement. It is ordered that he comply with rule 955 of the California Rules of Court and that he perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 days, respectively, after the date this order is filed.* Costs are awarded to the State Bar.

*(See Bus. & Prof. Code, § 6126, subd. (c).)

S125745

CHI ON RESIGNATION

Resignation accepted with disc. proceeding pending

The voluntary resignation of **CHARLIE CHULKYUNG CHI, State Bar No. 194734**, as a member of the State Bar of California is accepted without prejudice to further proceedings in any disciplinary proceeding pending against respondent should he hereafter seek reinstatement. It is ordered that he comply with rule 955 of the California Rules of Court and that he perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 days, respectively, after the date this order is filed.* Costs are awarded to the State Bar.

*(See Bus. & Prof. Code, § 6126, subd. (c).)

S125749

DAVIS ON RESIGNATION

Resignation accepted with disc. proceeding pending

The voluntary resignation of **ERIC EDWARD DAVIS, State Bar No. 134766**, as a member of the State Bar of California is accepted without prejudice to further proceedings in any disciplinary proceeding pending against respondent should he hereafter seek reinstatement. It is ordered that he comply with rule 955 of the California Rules of Court and that he perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 days, respectively, after the date this order is filed.* Costs are awarded to the State Bar.

*(See Bus. & Prof. Code, § 6126, subd. (c).)

S125751

HEREFORD ON RESIGNATION

Resignation accepted with disc. proceeding pending

The voluntary resignation of **HARVEY D. HEREFORD, State Bar No. 38782**, as a member of the State Bar of California is accepted without prejudice to further proceedings in any disciplinary proceeding pending against respondent should he hereafter seek reinstatement. It is ordered that he comply with rule 955 of the California Rules of Court and that he perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 days, respectively, after the date this order is filed.* Costs are awarded to the State Bar.

*(See Bus. & Prof. Code, § 6126, subd. (c).)

S125805

HORNOR ON RESIGNATION

Resignation accepted with disc. proceeding pending

The voluntary resignation of **BOYD EVANS HORNOR III, State Bar No. 36878**, as a member of the State Bar of California is accepted without prejudice to further proceedings in any disciplinary proceeding pending against respondent should he hereafter seek reinstatement. It is ordered that he comply

with rule 955 of the California Rules of Court and that he perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 days, respectively, after the date this order is filed.* Costs are awarded to the State Bar.

*(See Bus. & Prof. Code, § 6126, subd. (c).)

S099345

IN THE MATTER OF THE SUSPENSION OF
ATTORNEYS PURSUANT TO RULE 962,
CALIFORNIA RULES OF COURT
Suspension for non-payment of family support ordered

ENRIQUE RAMIREZ, #98751, was listed by the State Department of Child Support Services as being in arrears in payment of support obligations. He later obtained the necessary release from the appropriate local Child Support agency. He has subsequently been identified by the Department of Child Support Services as again being delinquent. Pursuant to Rule 962(a) of the California Rules of Court, IT IS HEREBY ORDERED that ENRIQUE RAMIREZ, #98751, be suspended from membership in the State Bar of California and from the rights and privileges of an attorney to act from and after July 26, 2004;

IT IS FURTHER ORDERED that upon receipt by the State Bar of California of a release issued by the appropriate local Child Support agency pursuant to Family Code 17520, the State Bar shall certify the fact of the receipt of such release to the Clerk of the Supreme Court and the suspension shall be terminated by order of this Court and he shall be fully restored to membership in the State Bar of California, and to all rights and privileges, duties and responsibilities incident thereto;

IT IS FURTHER ORDERED that until restored as above provided, he shall be precluded from practicing as an attorney at law, or an attorney or agent of another in and before all the courts, commissions and tribunals of this state, and from holding himself out to the public as an attorney or counsel at law.

B174730 Second Appellate District,
Division Four

IN RE JASA S.;
CHILDREN & FAMILY SERVICES v. LAURA S.
The above-entitled matter, now pending in the
Court of Appeal, Second Appellate District, is
transferred from Division Four to Division One.

B174828 Second Appellate District,
Division One

IN RE MELANIE L.;
CHILDREN & FAMILY SERVICES v. MARIA L.
The above-entitled matter, now pending in the
Court of Appeal, Second Appellate District, is
transferred from Division One to Division Four.